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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/743,691	12/20/2003	John F. Allen	H0001410	7806

7590 08/19/2004

Ephraim Starr  
Division General Counsel  
Honeywell International Inc.  
23326 Hawthorne Boulevard Suite #200  
Torrance, CA 90505

EXAMINER

TRIEU, THAI BA

ART UNIT	PAPER NUMBER
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3748

DATE MAILED: 08/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/743,691	<b>Applicant(s)</b> ALLEN ET AL.	
	<b>Examiner</b> Thai-Ba Trieu	<b>Art Unit</b> 3748	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-3 is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>03/17/2004</u> . | 6) <input type="checkbox"/> Other: ____  |

### DETAILED ACTION

This application is in condition for allowance except for the following formal matters:

#### 1. IN THE OATH/DECLARATION:

Applicants are required to submit a substitute declaration or oath, since the residence information of the third inventor, Mr. Rhett Hedrick, and the 5<sup>th</sup> inventor, Mr. Kevin Birch, has not been provided (See attached three pages filed on 03/22/2004). Additionally, the substitute oath or declaration must be filed within the THREE MONTH shortened statutory period set for reply in the "Notice of Allowability" (PTO-37). Extensions of time may NOT be obtained under the provisions of 37 CFR 1.136. Failure to timely file the substitute declaration (or oath) will result in **ABANDONMENT** of the application. The transmittal letter accompanying the declaration (or oath) should indicate the date of the "Notice of Allowance" (PTOL-85) and the application number in the upper right hand corner.

#### 2. IN THE ABSTRACT:

Since the abstract is too long, applicants are required to submit a substitute abstract to meet the requirement set forth below:

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and

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"said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

### **3. IN THE SPECIFICATION:**

- On Page 5, line 11, "**motor housing 24**" should be replaced by -- **motor housing 32**-- (for correcting typo error).
- On Page 5, line 17, "**oil pressure sensor 26**" should be replaced by -- **oil pressure sensor 24**-- (for correcting typo error).
- On Page 5, line 30, "**control system 16**" should be replaced by -- **control system 26** -- (for correcting typo error).
- On Page 5, lines 34 and 36; and Page 6, line 12, "**pre-selected**" before "**oil pressure**" should be replaced by -- **predetermined** -- (for consistency of the specification and claims).

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

### ***Conclusion***

The IDS (PTO-1449) filed on March 17, 2004 has been considered. An initialized copy is attached hereto.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Allen et al. (US Patent Number 6,705,084 B2) disclose a control system for electric assisted turbocharger.

- Vogel (US Patent Number 6,530,754 B2) discloses a turbocharger for an internal combustion engine having a pressure modulating structure, disposed on the shaft for modulating the oil pressure in the oil supply means, in accordance with the speed of the shaft.

- Woollenweber et al. (US Patent Number 5,870,894) disclose a motor assisted supercharging devices for an internal combustion engine.

- Woollenweber et al. (US Patent Number 5,787,711) disclose a motor assisted supercharging devices for an internal combustion engine.

- Chartrand (US Patent Number 4,953,110) discloses a turbocharger control system.

- Kawamura (US Patent Number 5,024,057) discloses exhaust driven electric generator system for internal combustion engines.

- Okano et al. (US Patent Number 4,279,576) disclose rotating speed detecting device of a turbocharger.

- Sarle (US Patent Number 4,142,608) discloses a turbocharger lubrication and exhaust system..
- Hanny (US Patent Number 3,038,318) disclose an expansion turbine and a turbo-compressor connected therewith in a cold producing plant.
- Oizumi et al. (Patent Number JP 59113236 A) disclose a supercharger protecting apparatus for a supercharged engine.
- Fujisaki (Patent Number JP 10008976 A) discloses a hybrid-supercharged engine.
- Ito et al. (Patent Number JP 58144647 A) disclose a method for preventing seizure of a turbocharger.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thai-Ba Trieu whose telephone number is (703) 308-6450. The examiner can normally be reached on Monday - Thursday (6:30-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas E. Denion can be reached on (703) 308-2623. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TTB  
August 2, 2004



Thai-Ba Trieu  
Patent Examiner  
Art Unit 3748